IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.5830 OF 2005
IN
FIRST APPEAL NO.2348 OF 2005

Bhalchandra A. Babar & Ors. ...Applicants
vs.
Brihan Mumbai Mahanagarpalik & Ors. ...Respondents

Mr.R.M.Nakhwa for the Applicants
Mr.J.J.Xavier for the Respondent

CORAM: A.S.OKA, J.
DATED: APRIL 13, 2006.

P.C.:

1. Heard Advocates for the parties. The first prayer is for stay of the impugned Judgment and Order. By the impugned Judgment and Order the Appeal preferred by the Applicants stands dismissed. Hence, the said prayer cannot be granted.

2. Prayer (c) is for permitting the Applicants to pay taxes on the basis of unamended ratable value. In an Appeal preferred by the Applicants challenging the levy of property taxes, such prayer cannot be granted especially when the Appeal preferred by the Appellants has been dismissed by the Small Causes Court.

3. It is obvious that the amounts which may be paid by the the Applicants during the pendency of the Appeal will be subject to the final outcome of the Appeal.

4. Subject to what is stated above, Application is rejected.

Judge.